



City of Carmel

Carmel Board of Zoning Appeals Regular Meeting Monday, February 26, 2007

The regularly scheduled meeting of the Carmel Board of Zoning Appeals met at 6:00 PM on Monday, February 26, 2007, in the Council Chambers of City Hall, Carmel, Indiana. The meeting opened with the Pledge of Allegiance.

Members in attendance were Kent Broach, Leo Dierckman, James Hawkins, Earlene Plavchak and Madeleine Torres, thereby establishing a quorum. Angie Conn and Mike Hollibaugh represented the Department of Community Services. John Molitor, Legal Counsel, was also present.

Mr. Dierckman moved to approve the minutes of the January 22, 2007 meeting as submitted. The motion was seconded by Mr. Hawkins and **APPROVED 5-0.**

Mrs. Conn pointed out Items 1-3h West Carmel Shoppes and 10-16h Applegate Condominiums had been tabled.

G. Reports, Announcements, Legal Counsel Report, and Department Concerns

1g. Board to vote on *Forest Glen, Lot 3 - Printing Plus* to do public notice again or to withdraw from agenda.

This item has been tabled approximately five times. The Department recommended that the Board vote for the Petitioner to re-do the public notice when the petition is on the agenda or to withdraw the item.

Mr. Dierckman moved to remove 7h Forest Glen from the agenda. The motion was seconded by Mrs. Plavchak and **APPROVED 5-0.**

Mr. Molitor gave the Legal Report. He did not have anything new to report with regard to the pending litigation, but there might be some news in the next four weeks. He recommended an Executive Session of the Board after the next regular BZA meeting on Monday, March 26, 2007, for an update.

The Board agreed to an Executive Session on March 26 after the regular Board meeting.

H. Public Hearing:

1-3h. West Carmel Shoppes (& Walgreens) – Signage TABLED

The applicant seeks the following development standards variance approval:

Docket No. 06120007 V	Section 25.07 Sign Chart B	sign height
Docket No. 06120008 V	Section 25.07.01.04	off-premise sign
Docket No. 06120009 V	Sections 25.07.01.08, 25.07.02.09	number of signs

The site is located at southeast corner of 106th St and US 421 is zoned B-3/Business and within the US 421 Overlay. Filed by Paul Reis of Bose McKinney & Evans, LLP.

4-5h. WITHDRAWN: Bill Estes Pre-Owned Facility

~~The applicant seeks the following development standards variance approvals:~~

~~Docket No. 06090020 V Chapter 26.04 north buffer yard reduction~~

~~Docket No. 06090023 V Chapter 23C.10.3.5(e) screened parking within front/side yard~~

~~The site is located at 4102 W. 96th St and is zoned B2/Business and I1/Industrial within the US 421 Overlay. Filed by Mary Solada of Bingham McHale.~~

6h. WITHDRAWN: Lubavitch of Indiana Worship Center

~~The applicant seeks approval for the following special use approval:~~

~~Docket No. 06050007 SU Chapter 5.02 Special Uses~~

~~The site is located at 2640 W 96th Street and is zoned S-1/Residence.~~

~~Filed by Dave Coots of Coots, Henke & Wheeler, P.C.~~

7h. TABLED: Forest Glen, Lot 3 - Printing Plus

~~The applicant seeks the following use variance approval for an office use:~~

~~Docket No. 06090012 UV ZO Chapter 6.01 Permitted Uses~~

~~The site is located at 2110 E. 96th St. and is zoned S-2/Residence.~~

~~Filed by Col. Rex A. Neal of Printing Plus.~~

8h. WITHDRAWN: Monon & Main, Unit 2D

~~The applicant seeks the following development standards variance approvals:~~

~~Docket No. 06110001 V Section 15.26 of PUD Z-462-04 non-residential uses on 2nd & 3rd floors~~

~~The site is located northeast of Third Ave NW and Main St., and is zoned PUD/Planned Unit Development. Filed by Carole Moore of Sell4Free Real Estate for Elahe Farahmand.~~

9h. Northview Christian Life Church

The applicant seeks the following approval for a lobby and parking lot expansion:

Docket No. 07010001 SUA Section 5.02 Special Use

The site is located at 5535 E. 131st St. and is zoned S-1/Residence.

Filed by Charlie Frankenberger of Nelson & Frankenberger.

Present for the Petitioner: Charles Frankenberger. Also present were Bill Harris, the church's business administrator, and other members of the development committee. An aerial photograph of the 80-acre parcel at the southwest corner of 131st Street and Hazel Dell Parkway was shown. The existing site plan was shown indicating the subject area. The amendment is needed to add a 3100 square foot lobby with 3100 square foot of storage underneath and a 225-space parking area. These are needed for an ever-growing congregation. The revised site plan showed the location of the additions and the landscape plan. After the additional 225 parking spaces are added, the gravel parking area will no longer exist. The landscape plan had been reviewed and approved by the Urban Forester. The lighting plan that was submitted called for a total of ten lighting fixtures and ten bollards. They have made a slight change in the lighting fixture. They felt the circular fixture was more attractive than the shoebox fixture. The lens is flush with the base of the fixture and the bulb is recessed. Five of the fixtures are

single lamp and five are double lamps. Pictures of the light fixtures and bollards were shown. A rendering of the addition was shown. They had one scheduled neighborhood meeting that no one attended because of the severe weather. At the rescheduled meeting, only one couple from the Timber Crest Subdivision attended, but they did not express any opposition.

Members of the public were invited to speak in favor or opposition to the petition; no one appeared.

The Public Hearing was closed.

Mrs. Conn gave the Department Report. This petition is an expansion of an already approved Special Use, which is a church in a residential area. The Department recommended positive consideration.

Mrs. Torres asked if the new lights would match the existing light.

Mr. Frankenberger stated that the other lights are shoebox lights. A sample was shown of each light. They felt the round lights were more attractive. They are not juxtaposed, so it will not be obvious.

Mr. Hawkins assumed there would be no spillover from the lighting.

Mr. Frankenberger stated there were no objections from Staff to the photo-metrics and they comply with the Ordinance. If they were wrong, they would be sure to comply.

Mrs. Torres asked if they use the eastern entrance.

Mr. Frankenberger stated it was in place because of the prior construction and will be used for the construction of the parking lot.

Mr. Hawkins moved to approve **Docket No. 07010001 SUA, Northview Christian Life Church**. The motion was seconded by Mr. Broach and **APPROVED 5-0**.

10-16. Applegate Condominiums TABLED

The applicant seeks the following development standards variance and special use approvals:

Docket No. 07010002 V	Section 23D.03.C.3.k(ii)	maximum building height
Docket No. 07010003 V	Section 23D.03.C.3.f(i)	parking in front yard
Docket No. 07010004 V	Section 23D.03.C.3.i(i)	roof pitch
Docket No. 07010005 V	Section 23D.03.C.3.a(ii)	building mass/width
Docket No. 07010006 V	Section 23D.03.C.3.e(ii)	landscape requirements
Docket No. 07010007 SU	Section 10.02.A	special uses
Docket No. 07010014 V	Section 23D.03.C.3.c.iii(b)	lot coverage over 70%

The site is located at 130 Second St. NW., and is zoned R-4/Residence within the Old Town Overlay – Character Subarea. Filed by Thomas Lazzara for On Track Properties, Inc.

I. Old Business

There was no Old Business.

J. New Business

There was no New Business.

K. Adjournment

Mr. Broach moved to adjourn. The motion was seconded by Mr. Hawkins and **APPROVED 5-0**.
The meeting adjourned at 6:15 PM.

James R. Hawkins, President

Connie Tingley, Secretary